

**As Introduced**

**135th General Assembly**

**Regular Session**

**2023-2024**

**H. B. No. 94**

**Representatives Click, Willis**

**Cosponsors: Representatives Barhorst, Fowler Arthur, Gross, Hillyer,  
Klopfenstein**

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**A BILL**

To amend section 145.295 of the Revised Code 1  
regarding transfers or purchases of certain 2  
retirement service credit. 3

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That section 145.295 of the Revised Code be 4  
amended to read as follows: 5

**Sec. 145.295.** (A) As used in this section and section 6  
145.2913 of the Revised Code: 7

(1) "Uniform retirement system" or "uniform system" means 8  
the Ohio police and fire pension fund or state highway patrol 9  
retirement system. 10

(2) "Military service credit" means credit purchased or 11  
obtained under this chapter or Chapter 742. or 5505. of the 12  
Revised Code for service in the armed forces of the United 13  
States. 14

(B) A member of the public employees retirement system who 15  
has contributions on deposit with, but is no longer contributing 16

to, a uniform retirement system shall, in computing years of service, be given full credit for service credit earned under Chapter 742. or 5505. of the Revised Code or for military service credit if a transfer to the public employees retirement system is made under this division. At the request of the member a transfer shall be made if all of the following conditions are met:

~~(1) The member's service credit in the public employees retirement system is greater than the amount of credit that would be transferred under this division.~~

~~(2)~~ The member is eligible, or with the credit will be eligible, for a retirement or disability benefit.

~~(3)~~ (2) The member agrees to retire or accept a disability benefit not later than ninety days after receiving notice from the public employees retirement system that the credit has been obtained.

~~(4)~~ (3) For each year of service the uniform system transfers to the public employees retirement system the sum of the following:

(a) An amount equal to the member's accumulated contributions to the uniform system making the transfer and any payments by the member for military service credit;

(b) An amount equal to the lesser of the employer's contributions to the uniform system or the appropriate employer contribution under section 145.48 or 145.49 of the Revised Code;

(c) Interest, determined as provided in division (H) of this section, on the amounts specified in divisions ~~(B) (4) (a)~~ (B) (3) (a) and (b) of this section for the period from the last day of the year for which the service credit in the uniform

system was earned or in which the military service credit was 46  
purchased or obtained to the date the transfer is made. 47

(C) A member of the public employees retirement system who 48  
has at least eighteen months of contributing service credit with 49  
the public employees retirement system, who is a former member 50  
of a uniform retirement system, and who has received a refund of 51  
the member's accumulated contributions to that uniform system 52  
may obtain credit for service credit earned under Chapter 742. 53  
or 5505. of the Revised Code or for military service credit if 54  
all of the following conditions are met: 55

~~(1) The member's service credit in the public employees~~ 56  
~~retirement system is greater than the amount of credit that~~ 57  
~~would be transferred under this division.~~ 58

~~(2)~~ The member is eligible, or with the credit will be 59  
eligible, for a retirement or disability benefit. 60

~~(3)~~ (2) The member agrees to retire or accept a disability 61  
benefit not later than ninety days after receiving notice from 62  
the public employees retirement system that the credit has been 63  
obtained. 64

~~(4)~~ (3) For each year of service, the public employees 65  
retirement system receives the sum of the following: 66

(a) An amount, which shall be paid by the member, equal to 67  
the amount refunded by the uniform system to the member for that 68  
year for accumulated contributions and payments for military 69  
service credit, with interest at a rate established by the 70  
public employees retirement board on that amount from the date 71  
of the refund to the date of the payment; 72

(b) Interest, which shall be transferred by the uniform 73  
system, on the amount refunded to the member that is 74

attributable to the year of service from the last day of the 75  
year for which the service credit was earned or in which payment 76  
was made for military service credit to the date the refund was 77  
made; 78

(c) An amount, which shall be transferred by the uniform 79  
system, equal to the lesser of the employer's contributions to 80  
the uniform system or the appropriate employer contribution 81  
under section 145.48 or 145.49 of the Revised Code, with 82  
interest on that amount from the last day of the year for which 83  
the service credit was earned or in which payment was made for 84  
military service credit to the date of the transfer. 85

On receipt of payment from the member, the public 86  
employees retirement system shall notify the uniform system, 87  
which, on receipt of the notice, shall make the transfer 88  
required by this division. Interest shall be determined as 89  
provided in division (H) of this section. 90

(D) A member of the public employees retirement system who 91  
purchased credit under former division (A)(1) of this section, 92  
as it existed before August 25, 1995, for service as a member of 93  
a uniform retirement system may elect to have the amount the 94  
member paid for this service credit refunded to the member under 95  
this division if the member agrees to repurchase this service 96  
credit pursuant to division (C) of this section. 97

(E) Service credit purchased or otherwise obtained under 98  
this section shall be considered the equivalent of Ohio service 99  
credit. 100

The public employees retirement system shall withdraw the 101  
credit and refund all amounts paid or transferred under this 102  
section if either of the following occurs: 103

(1) The member fails to retire or accept a disability benefit not later than ninety days after receiving notice from the public employees retirement system that credit has been obtained.

(2) The member's application for a disability benefit is denied.

A member may choose to purchase only part of the credit the member is eligible to purchase under division (C) of this section, subject to rules of the public employees retirement board. A member is ineligible to purchase or otherwise obtain credit under this section for service to be used in calculation of any retirement benefit currently being paid or payable to the member in the future under any other retirement program or for service credit that may be transferred under section 145.2913 of the Revised Code.

(F) If a member of the public employees retirement system who is not a current contributor elects to receive credit under section 742.21 or 5505.40 of the Revised Code for service for which the member contributed to the system or made payment for military service credit, the system shall transfer to the Ohio police and fire pension fund or the state highway patrol retirement system, as applicable, the amount specified in division (D) of section 742.21 or division (B) (2) of section 5505.40 of the Revised Code.

(G) A member of the public employees retirement system who earned service credit in the public employees retirement system for full-time service as a township or municipal police officer and received service credit in the Ohio police and fire pension fund under section 742.511 or 742.512 of the Revised Code for such service may elect to have the credit restored as public

employees retirement system service credit by paying the public 134  
employees retirement system an amount equal to the accumulated 135  
contributions paid by the member to the Ohio police and fire 136  
pension fund under section 742.511 or 742.512 of the Revised 137  
Code. When such an election is made, the Ohio police and fire 138  
pension fund shall transfer to the public employees retirement 139  
system the amount previously transferred under section 742.511 140  
or 742.512 of the Revised Code from the public employees 141  
retirement system to the Ohio police and fire pension fund. 142

(H) Interest charged under this section shall be 143  
calculated separately for each year of service credit. Unless 144  
otherwise specified in this section, it shall be calculated at 145  
the lesser of the actuarial assumption rate for that year of the 146  
public employees retirement system or of the uniform retirement 147  
system in which the credit was earned. The interest shall be 148  
compounded annually. 149

(I) At the request of the public employees retirement 150  
system, the uniform retirement system shall certify to the 151  
public employees retirement system a copy of the records of the 152  
service and contributions of a public employees retirement 153  
system member who seeks service credit under this section. 154

**Section 2.** That existing section 145.295 of the Revised 155  
Code is hereby repealed. 156